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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 September 2008_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20 and 23-27_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20 and 23-27_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1- 20 and 23-27 are presented for examination.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 09/23/2008 has been entered.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1, 4-7, 9-13, 16-20, 23, 25-27 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Lok et al. [US Patent Application No 2004/0028212], in view of Auffret et

al. [US Patent Application No 2003/0236924].

5.   As per claim 1, Lok discloses the invention as claimed including a method of providing

an interface over a network between a client computer and a server for controlling telephony

equipment [i.e. providing web and portal enablement of a CTI-based call center] [Figure 1;

Abstract; and paragraph 0003], comprising the steps of:

a) sending over the network to the client computer a first section of code including

software elements which when loaded in web browser software enable a user of the client

computer to issue commands to the server [i.e. softphone can be deployed in applet form for

interaction] [Figure 15; and paragraphs 0059, 0081, and 0091]; and whereby the first section

of code provides a browser-based interface suitable for transmitting user generated events [i.e.

answer, transfer, conference] [Figure 22; and paragraphs 0059, 0081 and 0110].

Lok does not specifically disclose

b) formulating a second section of code as an open-ended stream of code which includes

event notifications generated dynamically by the server in response to said telephony

equipment, wherein at least some of the event notifications in the second section of code are

adapted to update in the browser software one or more software elements received in the first

section of code;

sending over the network to the client computer said second section of code as a trickled

stream of data which is encoded to be progressively and incrementally loaded by said web

browser software; and

the second section provides a mechanism for updating the browser with notifications of

events provided by the telephony equipment.

Auffret discloses

     b) formulating a second section of code as an open-ended stream of code which includes event notifications generated dynamically by the server in response to said telephony equipment [i.e. transmission of the notification messages from the server to the browser a streaming method such as HTTP streaming is used so that the connection remains open] [Figure 2; Abstract; and paragraph 0005], wherein at least some of the event notifications in the second section of code are adapted to update in the browser software one or more software elements received in the first section of code [i.e. the open service platform allows for the provision of additional services and the implementation of addition service features] [paragraphs 0011 and 0013];

     sending over the network to the client computer said second section of code as a trickled stream of data which is encoded to be progressively and incrementally loaded by said web browser software [i.e. the pushing or sending of computer code that is executed by the client's browser using dynamic HTML, DHTML] [paragraph 0013]; and

     the second section provides a mechanism for updating the browser with notifications of events provided by the telephony equipment [i.e. notification mechanism] [paragraphs 0011-0013].

     It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Lok and Auffret because the teaching of Auffret on notification mechanism using DHTML would enable to provide a real time notification of a client by a telephone switching system [Auffret, paragraph 0001].

6.   As per claim 4, Auffret discloses wherein the second section of code is generated as an

open-ended stream of code which continues to be generated by the server in response to new

events notified by the telephony equipment while the communication with the client computer

remains open [i.e. the connection remains open while fresh notification messages are pushed to

the client] [paragraphs 0005 and 0013].

7.   As per claim 5, Auffret discloses wherein the second section of code is provided as

dynamic mark-up language code in the form of a series of discrete components which encode

discrete software elements for interpretation by the browser software [i.e. dynamic HTML] [

paragraphs 0012 and 0013].

8.   As per claim 6, Auffret discloses wherein the discrete software elements are Java or

JavaScript elements [paragraphs 0007, 0011 and 0012].

9.   As per claim 7, Auffret discloses sending over the network a third section of code, said

third section of code including a web services description of web services available on said

server which enable remote control of the telephony equipment [i.e. addition service or feature

] [paragraph 0011], whereby the software elements from the first section of code operate in

conjunction with the web services description from the third section of code to enable the

generation of appropriate commands to access the web services offered by the server, and

thereby to control the telephony equipment [i.e. load and reload the page] [paragraph 0013].

10.   As per claim 9, Auffret discloses monitoring said network for commands from the client

to operate the web services [i.e. PSTN calls] [paragraphs 0003 and 0015].

11.   As per claim 10, Auffret discloses translating commands received from the client to

operating commands for the telephony equipment [Figure 2; and paragraphs 0016 and 0017].

12.   As per claim 11, Lok discloses the steps of monitoring a first communications session

including said first and second sections of code between the client computer and the server, and

of monitoring a second communications session between the telephony equipment and a remote

item of telephony equipment, whereby events occurring in the first and second communications

sessions are synchronised with one another [i.e. events synchronized or real-time] [paragraphs

0067 and 0068].

13.   As per claim 12, Lok discloses wherein the first communications session is controlled by

a session manager which is in communication with a web server and the second

communications session is controlled by a computer telephone integration manager which is in

communication with said telephony equipment, the session manager passing commands

received from the client computer to the computer telephone integration manager, and passing

event notifications received from the computer telephone integration manager to the web server

[i.e. call center session control and telephony controls] [109, 110, Figure 1; Figure 9; col 3,

lines 17-col 4, lines 2; and col 8, lines 5-11].

14.   As per claim 13, it is rejected for similar reasons as stated above in claim 1.

15.   As per claims 16-18, they are rejected for similar reasons as stated above in claims 4-6.

16.   As per claim 19, it is rejected for similar reasons as stated above in claim 7.

17.   As per claim 20, Lok discloses sending to the server commands to operate the web services in response to user actions in the browser [i.e. telephone control includes answer] [Abstract; and paragraph 0059].

18.   As per claims 23, 25-27, they are rejected for similar reasons as stated above in claim 1.

19.   Claims 2, 3, 8, 14, 15 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lok et al. [US Patent Application No 2004/0028212], in view of Auffret et al. [US Patent Application No 2003/0236924], and further in view of Joshi et al. [US Patent Application No 2007/0271332].

20.   As per claim 2, Lok and Auffret do not specifically disclose wherein the first and second sections of code are provided as first and second frames within a single web page. Joshi discloses wherein the first and second sections of code are provided as first and second frames within a single web page [i.e. visible and hidden frames] [Figure 1; and paragraphs 0013 and

0017]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Lok, Auffret and Joshi because the teaching of Joshi on visible and hidden frames would provide improve techniques for updating rendered content and define techniques for more efficiently refreshing Web page content [Joshi, paragraphs 0020-0022].

21.   As per claim 3, Joshi discloses wherein the second frame is encoded for interpretation as a hidden frame [paragraphs 0013 and 0017].

22.   As per claim 8, it is rejected for similar reasons as stated above in claim 2. Furthermore, Auffret discloses the third section of code is transmitted each time said web page is requested [paragraphs 0012 and 0013].

23.   As per claim 14, it is rejected for similar reasons as stated above in claim 2.

24.   As per claim 15, it is rejected for similar reasons as stated above in claim 3.

25.   As per claim 24, it is rejected for similar reasons as stated above in claims 1-3.

26.   Applicant's arguments with respect to claims 1-20 and 23-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dustin Nguyen/
Primary Examiner, Art Unit 2454